



Practitioner's Checklist No. 2605/103

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of \_\_\_\_\_  
Inventor(s)for \_\_\_\_\_  
Title of invention**OR**

In re application of: Miyata

Application No.: 10/069,439

Filed: February 14, 2002

For: MEG-1 PROTEIN

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

**Commissioner for Patents  
Washington, D.C. 20231****INFORMATION DISCLOSURE STATEMENT****CERTIFICATE UNDER 37 C.F.R. § 1.8(a) and 1.10\****(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231

**37 C.F.R. § 1.8(a)****37 C.F.R. § 1.10\***


- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ **(mandatory)****TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: May 20, 2002

  
\_\_\_\_\_  
Signature**Robert M. Asher**

(type or print name of person certifying)

(Information Disclosure Statement [6-1]--page 1 of 6)

**NOTE:** "An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:

- (1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- (3) Before the mailing date of a first Office action on the merits; or
- (4) Before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114."

37 C.F.R. § 1.97(b).

**NOTE:** "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

**NOTE:** The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O. G. 13 -25 at 17.

**WARNING:** "No information disclosure statement maybe filed in a provisional application." 37 C.F.R. § 1.51(d).

### **List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
  - 7A. ☐ EPO Search Report
  - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

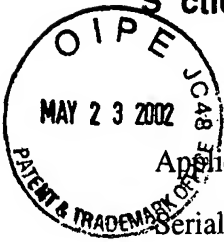
(complete the following, if appropriate)

Sections \_\_\_\_\_, respectively, have been continued on ADDED PAGE(S).

**NOTE:** "Once the minimum requirements are met the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

**Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Miyata

Attorney Docket: 2605/103

Serial No: 10/069,439

Art Group Unit: Not yet assigned

Date Filed: February 14, 2002

Examiner Name: Not yet assigned

Invention: MEG-1 PROTEIN

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE STATEMENT****International Patents**

Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
_____	AA	WO 97/26000	24.7.97	Yellin MJ et al.	A61K 38/02

**Other Documents**

Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
_____	AB	Miyata et al.	"A Mesangium-predominant Gene, Megsin, Is A New Serpin Upregulated in IgA Nephropathy" published J Clin Invest, vol. 120(4), pages 828-836
_____	AC	Kloeker et al.	"Purification and Identification of a Novel Subunit of Protein Serine/Threonine Phosphatase 4", published J Biol Chem, vol. 274(9), pages 5339-5347

Examiner Signature: \_\_\_\_\_

Date Considered: \_\_\_\_\_

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if *not* in conformance and not considered. Include copy of this form with next communication to applicant.

02605/00103 202329.1

**Section 6. Copies of Listed Information Items Accompanying This Statement**

*NOTE: 37 C.F.R. § 198(a)(2) requires that any information disclosure statement filed under § 1.97 shall include:*

*"A legible copy of.:*

- (i) Each U.S. patent application publication and U.S. and foreign patent;*
- (ii) Each publication or that portion which caused it to be listed,*
- (iii) For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. . .*

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

*(complete the following, if applicable)*

Exception(s) to above:

- ☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
- ☐ Cumulative patents or publications identified in Section 5.

**Section 10. Identification of Persons Making This Information Disclosure Statement**

The person making this statement is

*(check each applicable item)*

- (a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
(type or print name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
(type or print name of inventor who is signing)

- (c) ☒ the practitioner who signs below on the basis of the information:

*(check each applicable item)*

- ☐ supplied by the inventor(s).
- ☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))
- ☒ in the practitioner's file.

Reg. No.: 30,445

\_\_\_\_\_  
SIGNATURE OF PRACTITIONER

Tel. No.: (617) 443-9292

Robert M. Asher  
\_\_\_\_\_  
(type or print name of person certifying)

Customer No.: 00-2101

Bromberg & Sunstein LLP  
125 Summer Street, Boston, MA 02110

(Information Disclosure Statement-Section 10. Identification of Person(s) Making This Information Disclosure Statement [6-1]-page 6 of 6)

**Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.